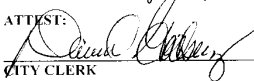
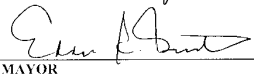


## MINUTES OF MEETING HELD AUGUST 27, 2012

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday August 27, 2012, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tom Eastham, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Mark Beasley, Jerry Girdler, Mike New, and Donna Hunley. City Attorney Carrie Wiese and City Clerk David Godsey.

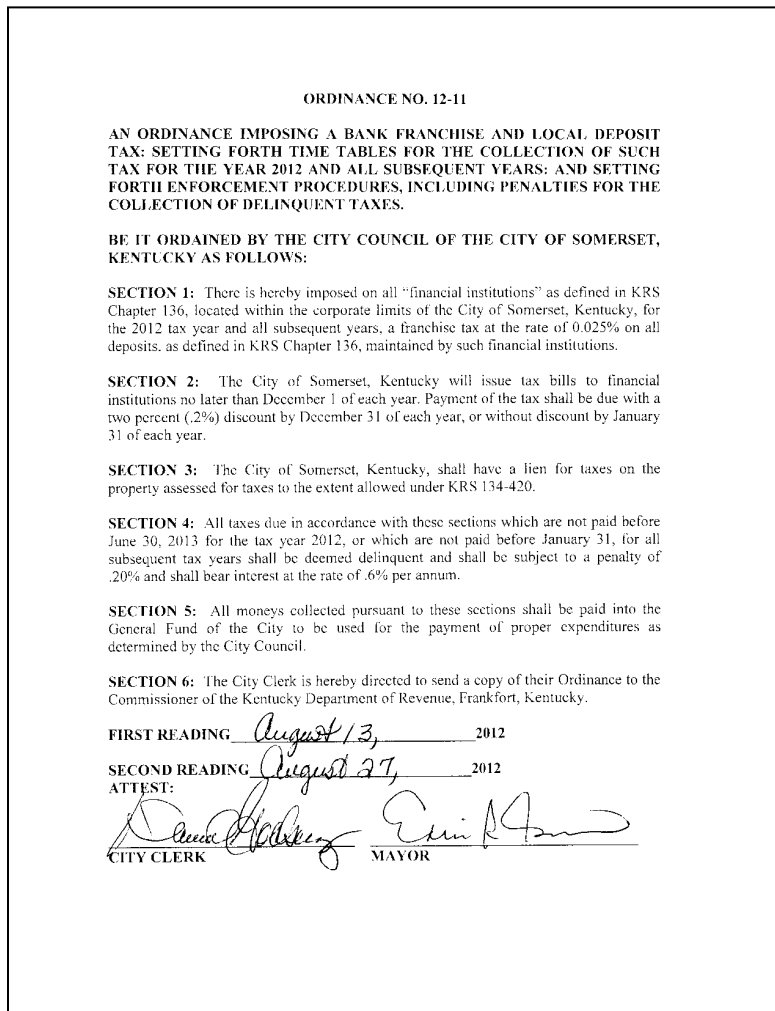
Mr. Beasley moved to approve the minutes of the regular meeting held on August 13, 2012, along with the reports as mailed. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance #12-10:

<p style="text-align: center;"><b>ORDINANCE NO. 12-10</b></p> <p><b>THIS ORDINANCE NUMBER 12-10 FIXING THE TAX LEVY, AD VALOREM, FRANCHISE TAX, AND TAX FOR THE CITY OF SOMERSET, KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 PROVIDING PENALTY AND INTEREST FOR NON-PAYMENT.</b></p> <p><b>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</b></p> <p><b>SECTION 1.</b> That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky, for the fiscal year beginning July 1, 2012 and ending June 30, 2013 is hereby levied an ad valorem of thirteen cents (.130) on each hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky.</p> <p><b>SECTION 2.</b> That the thirteen cents (.130) ad valorem on each one hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky, levied shall be deposited in the general fund account and shall be used to pay on general expenses incidental to the operation of the city government.</p> <p><b>SECTION 3.</b> That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky for the fiscal year beginning July 1, 2012 and ending June 30, 2013 there is hereby levied a tax of thirteen cents (.130) on each hundred dollars (\$100.00) on personal property, tangible and intangible of franchise holders as determined by the Department of Revenue within the city limits of Somerset, Kentucky.</p> <p><b>SECTION 4.</b> The thirteen cents (.130) on each one hundred dollars (\$100.00) for franchise property within the city limits of Somerset, Kentucky, shall be deposited in the general fund account and is to be used to pay on expenses incidental to the operation of city government.</p> <p><b>SECTION 5.</b> That a five percent (.05%) discount shall be allowed on each one dollar (\$1.00) collected before November 1, 2011.</p> <p><b>SECTION 6.</b> That there shall be added to and collected a penalty of twenty percent (.20%) and interest of six percent (.06%) per annum upon each one dollar (\$1.00) of all taxes herein provided for and unpaid after January 1, 2013 until such time that said taxes are paid.</p> <p><b>SECTION 7.</b> This Ordinance is to become in full force and effect on and after its approval and passage according to law.</p> <p>FIRST READING <u>August 13, 2012</u> SECOND READING <u>August 27, 2012</u></p> <p>ATTEST:  CITY CLERK</p> <p> MAYOR</p>
---

Mr. Wheeldon moved to approve the above Ordinance No. 12-10 on its second reading setting the tax rate for 2012. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance #12-11:

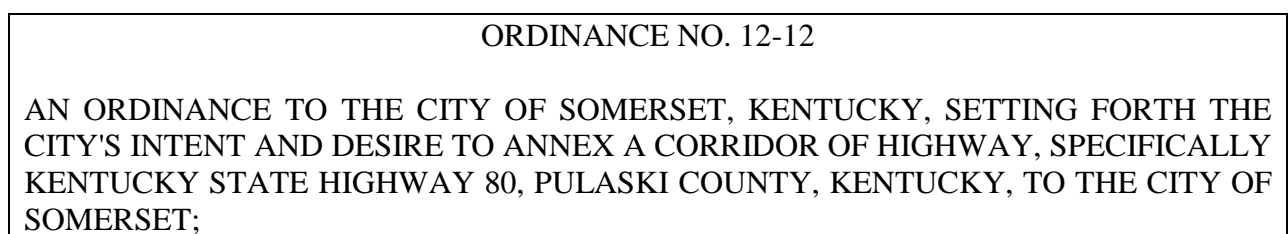


Mr. Beasley moved to approve the above Ordinance No. 12-11 imposing a bank franchise and local deposit tax. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Bourne moved to go into executive session for possible litigation. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

No action taken in executive session.

Second reading was given the following Ordinance #12-12:



Mr. Wheeldon moved to approve the above Ordinance No. 12-12 on its second reading. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, and Mr. Girdler. Voting "Nay": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Beasley, and Mrs. Hunley. Motion Failed.

Second reading was given the following Ordinance #12-13:

ORDINANCE NUMBER 12-13

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY  
CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS  
ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN;  
AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE  
PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS  
COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY  
WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED  
BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND  
INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE  
ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH  
ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF  
SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS  
SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS  
HERETO, ATTACHMENTS INCORPORATED IN FULL BY  
REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S  
CORPORATE LIMITS.

2601 KENTUCKY HIGHWAY 39-NELSON VALLEY  
GROCERY

SECTION 2.

THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS  
PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: \_\_\_\_\_

SECOND READING \_\_\_\_\_

APPROVED \_\_\_\_\_  
EDWARD R. GIRDLER, MAYOR  
CITY OF SOMERSET, KENTUCKY

ATTEST: \_\_\_\_\_  
DAVID GODSEY, CITY CLERK

Mr. Bourne moved to approve the above Ordinance No. 12-13 annexing property at 2601 Kentucky Highway 39-Nelson Valley Grocery. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-14:

ORDINANCE NUMBER 12-14

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY  
CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS  
ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN;  
AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE  
PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS  
COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY  
WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED  
BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND  
INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE  
ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH  
ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF  
SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS  
SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS  
HERETO, ATTACHMENTS INCORPORATED IN FULL BY  
REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S  
CORPORATE LIMITS.

22 HIDDEN CREEK DRIVE-BP STATION

SECTION 2.

THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS  
PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: \_\_\_\_\_

SECOND READING \_\_\_\_\_

APPROVED \_\_\_\_\_  
EDWARD R. GIRDLER, MAYOR  
CITY OF SOMERSET, KENTUCKY

ATTEST: \_\_\_\_\_  
DAVID GODSEY, CITY CLERK

Mr. Wheeldon moved to approve the above Ordinance No. 12-14 annexing property at 22 Hidden Creek Drive-BP Station. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-15:

<p>ORDINANCE NUMBER 12-15</p> <p>AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND</p> <p>WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND</p> <p>WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND</p> <p>WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;</p> <p>NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:</p> <p>SECTION 1.                    THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.</p> <p>   41 JORDANS WAY-MARATHON GROCERY</p> <p>SECTION 2.                    THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.</p> <p>   FIRST READING: _____</p> <p>   SECOND READING _____</p> <p>   APPROVED _____</p> <p>   EDWARD R. GIRDLER, MAYOR    CITY OF SOMERSET, KENTUCKY</p> <p>ATTEST: _____</p> <p>   DAVID GODSEY, CITY CLERK</p>	
--	--

Mr. Easton moved to approve the above Ordinance No. 12-15 annexing property at 41 Jordan's Way-Marathon Grocery . Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-16:

ORDINANCE NUMBER 12-16

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.

2880 WEST HIGHWAY 80-GROCERY AND FUEL

SECTION 2.

THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING:

SECOND READING

APPROVED

EDWARD R. GIRDLER, MAYOR  
CITY OF SOMERSET, KENTUCKY

ATTEST:

DAVID GODSEY, CITY CLERK

Mr. Easton moved to approve the above Ordinance No. 12-16 annexing property at 2880 West Highway 80- Grocery and Fuel. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-17:

ORDINANCE NUMBER 12-17

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.

PARCEL 14 SLATE BRANCH ROAD

SECTION 2.

THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING:

SECOND READING

APPROVED

EDWARD R. GIRDLER, MAYOR  
CITY OF SOMERSET, KENTUCKY

ATTEST:

DAVID GODSEY, CITY CLERK

Mr. Easton moved to approve the above Ordinance No. 12-17 annexing property at Parcel 14 Slate Branch Road. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mrs. Hunley.

There being no further business the meeting adjourned.

**APPROVED:** \_\_\_\_\_  
**MAYOR**

**ATTEST:** \_\_\_\_\_  
**CITY CLERK**